



SBE Meeting Highlights

A summary of key actions by the California State Board of Education September 2003

NCLB: SBE Amends Regs on Teacher Requirements

The State Board of Education unanimously approved amendments to proposed final regulations that will guide implementation of the teacher requirements, also known as the “highly qualified” teacher provisions, of the federal No Child Left Behind Act (NCLB).

Among the approved amendments is a proposal to allow teachers to gain credit for completed coursework, service to the profession (such as mentoring or being a distinguished teacher) and in-depth professional development in satisfying NCLB’s highly qualified teacher requirements.

The State Board directed staff to send out the amended proposed regulations for 15-day public review in accordance with the Administrative Procedure Act, and if no objections to the amendments are received, to complete the rulemaking package and submit it to the Office of Administrative Law for approval. If objections to the amendments are received during the 15-day public review, the matter will be placed on the State Board’s November agenda for action following consideration of the objections.

Under NCLB, all classrooms must have a teacher who meets NCLB’s teacher requirements by 2005-06 – a requirement that new hires at Title I schools must already meet. The federal law requires that all teachers must demonstrate subject matter competency in the subject(s) they teach to meet these federal requirements.

In June, the State Board approved a conceptual plan for compliance with NCLB’s teacher requirements, including the following highlights:

- All new teachers at the elementary school level will need to pass a rigorous subject matter test;
- Those entering the profession at the middle and high school level will need either a major or pass a test in each subject they teach;
- Those “not new” to the profession will be able to satisfy NCLB’s requirements for demonstrating subject matter competence through an alternative evaluation process contained in NCLB – the “high objective uniform state standard of evaluation” or HOUSSE.

The proposed regulations are necessary to identify the “rigorous state test” that federal law requires elementary teachers new to the profession to pass, and to outline the “high objective uniform state standard of evaluation” that federal law provides to qualify teachers who are *not* new to the profession. The proposed regulations also define several key phrases to assist school districts in complying with the federal law.

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Below is a summary of the revised, proposed regulations for implementing NCLB's teacher provisions.

- The federal NCLB Act requires that elementary teachers *new* to the profession pass a rigorous State exam to demonstrate subject matter competence. The proposed regulations do not name the required test or limit it to one test. The proposed regulations clarify that the Commission on Teacher Credentialing will certify the test(s) in order to conform the NCLB teacher requirements with California's credentialing requirements.
- The federal NCLB Act requires middle and high school teachers who are *new* to the profession to pass a validated statewide subject matter examination in the subjects taught *or* have an undergraduate major; a graduate degree; coursework equivalent to an undergraduate major, or advanced certification in the subjects taught.
- The proposed regulations comply with the provisions of the federal NCLB Act that allow elementary, middle and high school teachers *not new* to the profession to satisfy subject matter competency by passing a current or past validated State test or by completing a "high, objective, uniform state standard of evaluation" or HOUSSE.
- The revised regulations add a new Part One to HOUSSE that recognizes experience, coursework, professional development and service. The regulations also were changed to clarify that Part Two, the demonstration of subject matter competency through observations and portfolios, will include one or more of the following: 1) classroom observation; 2) demonstration of knowledge of appropriate grade level subject State Academic Content Standards; or 3) portfolio review of lesson plans and student work for one academic year. The addition of Part One of HOUSSE in the revisions is intended to be a more time efficient means of demonstrating subject matter competence.
- The regulations also state that the HOUSSE may be conducted at the time and by the means utilized to satisfy Education Code section 44662 (Evaluation and assessment guidelines). A teacher's supervising administrator shall be responsible for overseeing the high objective uniform state standard evaluation. The administrator may consult, if necessary, with a person or persons knowledgeable in the State Academic Content Standards for the grade span or subject in which the teacher is demonstrating subject matter competency. Part Two will be conducted only if a teacher is unable to meet the requirements via Part One.
- To receive a credential, teachers are required to complete a California Commission on Teacher Credentialing approved college or university teacher preparation or internship program that includes coursework in subject, pedagogy, developing English language skills, computer technology in educational settings; laws, methods, and requirements related to special populations, and field experiences including student teaching.

Board members complemented the State Board staff for reaching out and obtaining input from the various stakeholder groups who participated extensively in the development of the regulations. Representatives of three of those groups -- the California Teachers Association, the Association of California School Administrators and the California School Boards Association -- spoke in favor of the regulations at the State Board meeting.

The California Department of Education and the State Board staff continue to work on a guide for compliance for districts. The guide is expected to be available later this fall. (*The proposed regulations are online at <http://www.cde.ca.gov/regulations/nclbhqtregrs091003.pdf>*).

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State Board Approves CAHSEE Regulations

The State Board amended proposed regulations that will guide districts and schools in the next administration of the California High School Exit Examination (CAHSEE), which will be given in February 2004 to all current 10th graders.

This year's 10th graders are members of the class of 2006, which is now the first class that must pass the exit exam as a requirement of graduation. At its July 2003 meeting, the State Board delayed the CAHSEE as a requirement of graduation for two years. That action means students in the classes of 2004 and 2005 are no longer required to pass the exit exam as a condition of earning a high school diploma.

The purpose of the proposed regulations is to guide districts and schools in the administration of the high school exit examination, including definitions, data requirements and test security.

Section 1200 provides definitions. Sections 1203 to 1211.5 deal with administration issues, such as responsibilities of district and school test coordinators and test security. Sections 1215 to 1219.5 address accommodations, modifications and waivers for students with special needs, including separate sections for students with disabilities (Section 1216) and English learners (1217.5).

Section 1220 specifies how cheating during test administration will be handled. Section 1225 describes how funds will be apportioned to school districts.

The approved revisions to the proposed regulations include technical changes to ensure consistency in language; substantive changes to comply with federal law regarding testing all students in grade 10 for Adequate Yearly Progress under the No Child Left Behind Act and to comply with federal law regarding the testing of English learners; and changes to ensure no mandated costs.

If no objections to the amendments are received during the 15-day public review period, CDE staff will complete the rulemaking package and submit it to the Office of Administrative Law for review and finalization. CDE would like to see the revised regulations finalized and incorporated in Title 5 Regulations prior to the February 2004 administration. If objections to the amendments are received during the 15-day public review period, however, the regulations will be brought back for action at the State Board's November meeting.

*(The CAHSEE regulations can be found online at
<http://www.cde.ca.gov/regulations/cahseeregs091003.pdf>)*

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II/USP: “Significant Growth” Definition Maintained

The State Board has maintained the definition of “significant growth” adopted in 2002 for all three cohorts in the Immediate Intervention/Underperforming Schools Program (II/USP), which was established as a voluntary intervention program to provide extra funding for lower-performing schools in exchange for improved student performance.

By adopting the same definition, the State Board ensures that all II/USP cohorts are treated equitably and avoids a change in definitions in the middle of the program for Cohort II schools.

The State Board adopted the definition of significant growth in February 2002. Significant growth was defined as making positive growth on the schoolwide API in either of the two funded years of II/USP implementation. Schools that failed to show significant growth for two consecutive years on the API are subject to state monitoring and potential sanctions.

Following release of the 2002 API growth data, 308 Cohort I schools made significant growth and received a third year of funding, 71 schools met their API growth targets for a second year in a row and exited the program and 24 schools failed to make significant growth for a second year in a row and entered the state-monitored schools interventions process.

Of the remaining 26 schools, 17 did not exit because they are also in the High Priority Schools Program and nine schools had insufficient data and remain on “watch.”

The same definition of significant growth was used for Cohort II schools to notify them of the need to hold a public hearing as required by Education Code 52055. In 2002, 125 Cohort II schools made significant growth, 201 met their growth targets, 96 made no growth or negative growth, and eight schools had insufficient data.

By November 2003, Cohort III schools will have completed their first year of II/USP implementation and must be noticed that if they have not made significant growth, they will be required to hold a local public hearing.

For the 24 schools in Cohort I that failed to show growth on the API in 2000-2001 and 2001-2002, the State Board has required these schools and their districts to contract with a School Assistance and Intervention Team or SAIT, which conducted an evaluation of the school’s instructional program. The intervention teams then issued findings and made recommendations for corrective actions, which the local governing board was required to adopt.

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Other Items of Interest

AB 466: The State Board has rescinded previous action approving the AB 466 contract with the Sacramento County Office of Education pertaining to implementation of AB 466 (Chapter 737, Statutes of 2001) and, in its place, approved consolidating services under a contract with the Orange County Office of Education.

SABE 2: The State Board has once again designated the Spanish Assessment of Basic Education, 2nd Edition, (SABE 2), as the Spanish norm-referenced test for the 2004 STAR program. The Board approved the 2004 contract for SABE 2 with CTB/McGraw-Hill.

MEDICATION REGS: The State Board adopted proposed school medication regulations and directed staff to complete the rulemaking package (including any necessary changes in the draft responses to public comments) and submit it to the Office of Administrative Law for approval in accordance with the Administrative Procedure Act. The regulations provide guidance on who may administer medications to pupils requiring medications during the regular school day, the conditions under which such administration may occur, and the requirements for delivery, documentation and disposal of medications.

For more information contact the State Board of Education
1430 N Street, Room 5111, Sacramento, CA 95814
Tel. 916.319.0827; Fax 916.319.0175
Web: <http://www.cde.ca.gov/board>